

AMENDED IN SENATE JULY 2, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY APRIL 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1014**

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**Introduced by Assembly Member Canciamilla**

February 20, 2003

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An act to add Section 525.5 to the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Canciamilla. Vessels: abandonment.

Existing law prohibits any person from abandoning a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except as specified. The abandonment of any vessel in this manner is prima facie evidence that the last registered owner of record, not having notified the appropriate registration or documenting agency of any relinquishment of title or interest therein, is responsible for the abandonment and is thereby liable for the cost of removal and disposition of the vessel. A violation of this prohibition is an infraction and is punished by a fine of not less than \$500 nor more than \$1,500.

This bill would require the Department of Boating and Waterways, on or before January 1, 2005, to submit recommendations to the Legislature on strategies to prevent recreational vessels from being abandoned and to facilitate the ability of owners to turn in their recreational vessels to public agencies for disposal in lieu of

abandonment. The bill would require the Director of Boating and Waterways to appoint an Abandoned Vessel Advisory Committee to assist the department in preparing these recommendations. The bill would specify the membership of the committee and would require the committee to serve without compensation and without reimbursement by the state for expenses. The bill would require the department to assist the committee in carrying out its duties.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 525.5 is added to the Harbors and  
2 Navigation Code, to read:

3 525.5. (a) On or before January 1, 2005, the department shall  
4 submit recommendations to the Legislature on strategies to  
5 prevent recreational vessels from being abandoned and to  
6 facilitate the ability of owners to turn in their recreational vessels  
7 to public agencies for disposal in lieu of abandonment.

8 (b) The recommendations shall ~~consider all of the following:~~

9 ~~(1) The experience be based on the expertise~~ and data available  
10 to the department in relation to the existing abandoned watercraft  
11 abatement program administered by the department.

12 ~~(2)~~

13 (c) *The recommendations shall consider both of the following:*

14 (1) The needs and desires of the recreational boating  
15 community in being able to properly and economically dispose of  
16 recreational vessels in lieu of abandoning them.

17 ~~(3)~~

18 (2) Any environmental, economic, safety, or practical benefits  
19 that could be obtained by preventing recreational vessels from  
20 being abandoned and facilitating efforts of owners of recreational  
21 vessels to turn in their vessels to public agencies for disposal in lieu  
22 of abandoning them.

23 ~~(e)~~

24 (d) (1) The director shall appoint an Abandoned Vessel  
25 Advisory Committee to assist the department in preparing  
26 recommendations.

27 (2) The membership of the committee shall include, but need  
28 not be limited to, representatives of all of the following:



- 1 (A) The Boating and Waterways Commission.
- 2 (B) Boating law enforcement agencies.
- 3 (C) The United States Power Squadron.
- 4 (D) The United States Coast Guard Auxiliary.
- 5 (E) Entities that engage in the salvage or disposal of
- 6 recreational vessels.
- 7 (F) Owners of personal watercraft.
- 8 (G) Boat dealers.
- 9 (H) Boating, sailing, and yachting organizations.
- 10 (I) Owners and operators of public and private marina
- 11 facilities.
- 12 (3) The members of the committee shall serve without
- 13 compensation and may not be reimbursed by the state for
- 14 expenses.
- 15 (4) The department shall assist the committee in carrying out
- 16 its duties.

